

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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EDGAR AVITIA DE LA VEGA,

Plaintiff,

V.

AYMAN ENTERPRISES, INC., *et al.*,

### Defendants.

Case No. 2:23-cv-00865-RFB-MDC

## ORDER

Before the Court for consideration is the Report and Recommendation (ECF No. 51) of the Honorable Maximiliano D. Couvillier, III, United States Magistrate Judge, entered on June 20, 2025. For the following reasons, the Court adopts the Report and Recommendation in full.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed the district court is required to “make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct “any review,” *de novo* or otherwise, of the report and recommendations of a magistrate judge. Thomas v. Arn, 474 U.S. 140, 149 (1985). Here, objections were due by July 7, 2025. No objections have been filed. The Court has reviewed the record in this case and concurs with the Magistrate Judge’s recommendation.

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1           **IT IS THEREFORE ORDERED** that the Report and Recommendation (ECF No. 51) is  
2   **ACCEPTED** and **ADOPTED** in full.

3           **IT IS FURTHER ORDERED** that the (ECF No. 38) Motion for Sanctions is  
4   **GRANTED in part** and **DENIED in part** as described in the Report and Recommendation.

5           **IT IS FURTHER ORDERED** that Defendant Clarence Eugene Mitchell II's answer,  
6   witness statements, and unverified discovery responses are **STRICKEN**. Defendant Mitchell is  
7   further **PRECLUDED** from being called as a witness at trial. Defendant Ayman Enterprises,  
8   Inc.'s answer will not be stricken.

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10          **DATED:** July 16, 2025.



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13          **RICHARD F. BOULWARE, II**  
14          **UNITED STATES DISTRICT JUDGE**  
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